

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 28, 2000

DIVISION ONE

B130570 Noring et al. (Not for Publication)
v.
Popeney, Lebetsamer & Grange

The judgment is reversed. Plaintiffs are to recover costs on appeal.

Spencer, P.J.

I concur: Masterson, J.
I dissent: Ortega, J. (Opinion)

B134638 People (Not for Publication)
v.
Wilson V.

The order is affirmed. The case is remanded and the juvenile court is directed to make a declaration as to whether the offenses committed by appellant were felonies or misdemeanors.

Spencer, P.J.

We concur: Ortega, J.
Masterson, J.

April 28, 2000-Continued

DIVISION ONE (Continued)

B134615 People (Not for Publication)
v.
Headspeth

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B136827 People (Not for Publication)
v.
Seevers

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Masterson, J.

B126807 People (Not for Publication)
v.
Meneses

The judgment is modified to strike one one-year prior prison term sentence enhancement. As so modified, the judgment is affirmed. The clerk of the trial court is directed to prepare a modified abstract of judgment and forward a copy to the Department of Corrections.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

DIVISION ONE (Continued)

B134946 BKDL, LLC etc. (Not for Publication)

v.

The Boston Group, L.P., etc.

The right to attach order and order directing the clerk to issue writs of attachment are affirmed insofar as they grant a right to attach \$800,000. In all other respects, the orders are reversed. The trial court is directed to enter an order quashing and recalling any writ of attachment other than one for \$800,000. The parties are to bear their own costs on appeal.

Spencer, P.J.

We concur: Ortega, J.
 Vogel (Miriam A.), J.

B134684 Los Angeles County, D.C.F.S. (Not for Publication)

v.

Yvonne P.

The order is affirmed.

Spencer, P.J.

We concur: Ortega, J.
 Vogel (Miriam A.), J.

B136244 People (Not for Publication)

v.

Denser

The order is affirmed.

Spencer, P.J.

I concur: Masterson, J.
I concur in the judgment only: Vogel (Miriam A.), J.

April 28, 2000-Continued

DIVISION ONE (Continued)

B131216 People (Not for Publication)
v.
Taylor

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B131915 People (Not for Publication)
v.
Flanagan

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B129832 Ngo (Not for Publication)
v.
Lincoln Title Company

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Masterson, J.

DIVISION ONE (Continued)

B130803 Andonian Brothers (Not for Publication)
 v.
 Titizian et al.

The order is affirmed.

Spencer, P.J.

We concur: Ortega, J.
 Masterson, J.

B133950 People (Not for Publication)
 v.
 Kandice A.

The order is affirmed.

Spencer, P.J.

We concur: Ortega, J.
 Vogel (Miriam A.), J.

B134052 People (Not for Publication)
 v.
 Adams

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
 Vogel (Miriam A.), J.

April 28, 2000-Continued

DIVISION ONE (Continued)

B135318 People (Not for Publication)
v.
Flores

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B137741 Carlos A. (Not for Publication)
v.
Superior Court, Los Angeles County
(Dept. of Children and Family Services, r.p.i.)

The petition for extraordinary writ is granted. The trial court is directed to set aside its order setting the case for a section 366.26 hearing and to grant petitioner's request for a continuance.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B134833 Tyler Hagen (Not for Publication)
v.
Board of Education, William S. Hart Union High School District et al.

The judgment is affirmed. The District is awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Masterson, J.

DIVISION ONE (Continued)

B117956 Inglewood Unified School District (Not for Publication)
v.
Andrew L. Truesdale and Shirley Worrels

The judgment is reversed insofar as it awards attorney's fees to plaintiff. In all other respects, the judgment is affirmed. The plaintiff is to recover costs on appeal.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
 Masterson, J.

B125589 Suzanna Jeffrey et al. (Not for Publication)
v.
David Katsuro Akazawa

The orders granting a new trial and awarding costs are affirmed. Suzanna Jeffrey and Ron Jeffrey are awarded their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Ortega, J.

B133163 C.I.R. Plumbing, Inc. (Not for Publication)
v.
P.E. O'Hair & Co.

The order of June 7, 1999, is affirmed. O'Hair is awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Ortega, J.

April 28, 2000-Continued

DIVISION ONE (Continued)

B130139 Edgar King (Not for Publication)
v.
Virginian Association, Inc., et al.

The judgment is affirmed. The Association is awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B120947 People (Not for Publication)
v.
Charles Friddle

The judgment is reversed insofar as it imposes a great bodily injury enhancement on count 2. The matter is remanded for resentencing, at which time the trial court is directed to stay the great bodily injury enhancement. In all other respects, the judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B132343 People (Not for Publication)
v.
Eddie Fisher, Jr.

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Masterson, J.

DIVISION ONE (Continued)

B137318 Brinks, Inc., and Liberty (Not for Publication)
Mutual Insurance Company
v.
W.C.A.B.
Luilly Ricaldy Mendez (Decedent) et al.

The order denying reconsideration is annulled, and the cause is remanded to the Board with directions to allow the parties to develop the evidentiary record concerning the issue of "horseplay", and to thereafter proceed in accordance with the findings made on the completed record.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Masterson, J.

B134006 People (Not for Publication)
v.
Alberto Moreno, Jr.

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION FOUR

B132031 People (Not for Publication)
v.
Antonio G.

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

April 28, 2000-Continued

DIVISION FOUR (Continued)

B135372 Los Angeles County, D.C.F.S.
v.
Kathy M.

Filed order denying petition for rehearing.

B100152 Rainey Construction Co., Inc.
v.
Long Beach Unified School District

Filed order modifying opinion. Petitions for rehearing are denied. (No change in the judgment)

DIVISION FIVE

B129724 People
v.
Darien Wayne Boyd

Filed order vacating submission order of January 4, 2000. This court has been unable to prepare an opinion in this matter because of the press of judicial business in the Second Appellate District. Cause resubmitted.

DIVISION SIX

B136178 People (Not for Publication)
v.
Robles

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.